

HB 259 CS

2005  
CS

## CHAMBER ACTION

1 The Criminal Justice Committee recommends the following:

2  
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to podiatric medicine; amending s.  
7 461.014, F.S.; requiring a hospital having a podiatric  
8 residency program to annually provide the Board of  
9 Podiatric Medicine with certain information; increasing  
10 the time allowed for a resident to continue as an  
11 unlicensed resident; permitting a resident podiatric  
12 physician to prescribe certain medications under certain  
13 circumstances; requiring residents be subject to certain  
14 grounds for disciplinary action and investigations;  
15 providing a penalty; requiring the board to adopt rules to  
16 administer this act; providing an effective date.

17  
18 Be It Enacted by the Legislature of the State of Florida:

19  
20 Section 1. Section 461.014, Florida Statutes, is amended  
21 to read:

22 461.014 Residency.--

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23        (1) The board shall encourage and develop podiatric  
24        residency programs in hospitals in this state and shall  
25        establish such programs by the adoption ~~promulgation~~ of rules,  
26        subject to the following conditions:

27        (a)~~(1)~~ Any residency program shall be approved by the  
28        Council of Podiatry Education of the American Podiatry  
29        Association.

30        (b)~~(2)~~ A residency program may be established only at a  
31        hospital where a duly licensed podiatric physician is on the  
32        hospital staff or is otherwise in a supervisory position.

33        (c)~~(3)~~ Every resident shall register with the board  
34        through the submission of forms provided by the board, which  
35        forms shall, besides other required information, reflect the  
36        date of commencement of residency.

37        (d)~~(4)~~ Every hospital having a residency program shall  
38        annually, on ~~semiannually, on January 1 and~~ July 1 of each year,  
39        provide the board with a list of podiatric residents and such  
40        other information as is required by the board.

41        (e)~~(5)~~ A ~~No~~ program in residency may not ~~shall~~ allow a  
42        resident to continue as an ~~such~~, unlicensed resident, for an  
43        aggregate period of time in excess of 3 ~~2~~ years.

44        (f) A person registered as a resident podiatric physician  
45        under this section may, in the normal course of his or her  
46        employment, prescribe medicinal drugs described in schedules set  
47        forth in chapter 893 and pursuant to s. 461.003(5) if:

48        1. The person prescribes such medicinal drugs through use  
49        of a Drug Enforcement Administration number issued to the

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50 hospital or teaching hospital by which the person is employed or  
51 at which the person's services are used.

52 2. The person is identified by a discrete suffix to the  
53 identification number issued to such hospital.

54 3. The use of the institutional identification number and  
55 individual suffixes conforms to the requirements of the federal  
56 Drug Enforcement Administration.

57 (2) Notwithstanding this section or s. 120.52, any person  
58 who is registered under this section is subject to s. 461.013.

59 (3) Any person who willfully violates paragraph (1)(f)  
60 commits a misdemeanor of the first degree, punishable as  
61 provided in s. 775.082 or s. 775.083.

62 (4) The board shall adopt rules pursuant to ss. 120.536(1)  
63 and 120.54 as necessary to administer this section.

64 Section 2. This act shall take effect July 1, 2005.